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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

IN RE KENNETH ERICKSON,

Plaintiff.

3:17-cv-00326-RCJ-VPC

ORDER

I. DISCUSSION

Plaintiff, who is a prisoner in the custody of the Nevada Department of Corrections ("NDOC"), has filed an application to proceed *in forma pauperis* and multiple incoherent documents and motions. (ECF No. 1, 1-1, 3, 5, 6, 7, 8, 9, 10, 11). Plaintiff has not filed a complaint and has filed an incomplete application to proceed *in forma pauperis*.

Pursuant to Federal Rule of Civil Procedure 3, "[a] civil action is commenced by filing a complaint with the court." Fed. R. Civ. P. 3. As such, the Court grants Plaintiff thirty (30) days from the date of this order to submit a complaint to this Court.

Pursuant to 28 U.S.C. § 1915(a)(2) and Local Rule LSR 1-2, Plaintiff must complete an application to proceed *in forma pauperis* and attach both an inmate account statement for the past six months and a properly executed financial certificate. Plaintiff has not submitted a properly executed financial certificate or an inmate account statement. (See ECF No. 1). As such, the *in forma pauperis* application is denied without prejudice. Plaintiff will be granted an opportunity to cure the deficiencies of his application to proceed *in forma pauperis*, or in the alternative, pay the full filing fee for this action. If Plaintiff chooses to file a new application to proceed *in forma pauperis* he must file a fully complete application to proceed *in forma pauperis*.

1 **II. CONCLUSION**

2 For the foregoing reasons, IT IS ORDERED the application to proceed *in forma*
3 *pauperis* (ECF No. 1) is denied.

4 IT IS FURTHER ORDERED that the Clerk of the Court SHALL SEND Plaintiff the
5 approved form application to proceed *in forma pauperis* by a prisoner, as well as the document
6 entitled information and instructions for filing an *in forma pauperis* application.


7 IT IS FURTHER ORDERED that within **thirty (30) days** from the date of this order,
8 Plaintiff shall either: (1) file a fully complete application to proceed *in forma pauperis*, on the
9 correct form with complete financial attachments in compliance with 28 U.S.C. § 1915(a); or
10 (2) pay the full \$400 fee for filing a civil action (which includes the \$350 filing fee and the \$50
11 administrative fee).

12 IT IS FURTHER ORDERED that Plaintiff shall submit a complaint to this Court within
13 **thirty (30) days** from the date of this order.

14 IT IS FURTHER ORDERED that the Clerk of the Court shall send to Plaintiff the
15 approved form for filing a 42 U.S.C. § 1983 complaint and instructions for the same.

16 IT IS FURTHER ORDERED that, if Plaintiff does not timely comply with this order,
17 dismissal of this action may result.

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19 DATED: This 12th day of July, 2017.

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22 United States Magistrate Judge
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